

MINUTES

Eugene Human Rights Commission
Sloat Room—99 West 10th Avenue
Eugene, Oregon

March 19, 2013
5:00 p.m.

PRESENT: Toni Gyatso, Chair, Andrew Thompson, Vice Chair; Greg Evans, Linda Hamilton, Chris Nunes, Richie Weinman, Denise Griewisch, commissioners; Michael Kinnison, City Manager's Office – Equity and Human Rights Office; Alana Holmes, City Manager's Office Division Manager

ABSENT: Iva Boslough, Ken Neubeck, commissioners.

The mission of the Human Rights Commission is to promote implementation of universal human rights, values, and principles in all City of Eugene programs and throughout the wider community.

To carry out this mission the commission shall affirm, encourage, and initiate programs and services within the City of Eugene and in the wider community designed to place priority upon protecting, respecting, and fulfilling the full range of universal human rights as enumerated in the Universal Declaration of Human Rights. To support and promote human rights, the commission will: provide human rights education, be proactive in human rights efforts, address human rights violations, ensure active public participation, be transparent and open, and be publicly accountable for human rights progress.

1. Welcome from Chair

Ms. Gyatso called the meeting to order. Those present introduced themselves.

2. Public Comment

David Gerber with the Homeless Outreach Team invited everyone to attend the group's meetings every Saturday from 8:00 – 10 am at the McNail Reilly house. The Team will be discussing ways to discourage panhandling.

Zachary Vishanoff advocated for the public to have more time to speak during public comment. He raised concern that the relocation of the Police Commission meetings to Country Club Road would deter public input. He also expressed concern over the structural soundness of the existing vehicular bridge over the Washington-Jefferson Skatepark.

3. Agenda Review and Adjustment

Ms. Gyatso asked to adjust the agenda to allow for Ms. Holmes to speak briefly after the Funding Requests agenda item. Councilor Evans requested to move up his report before the break.

Ms. Hamilton moved, seconded by Ms. Griewisch, to adjust the agenda as requested. The motion passed unanimously.

4. Minutes Approval

Ms. Hamilton moved, seconded by Ms. Griewisch, to approve January minutes. The motion passed unanimously.

Mr. Weinman moved, seconded by Ms. Griewisch, to approve the February minutes. The motion passed 6-0, with Ms. Hamilton abstaining.

5. Funding Requests

Richard Pettigrew, with the Archaeology Legacy Institute, requested a \$200 co-sponsorship of the TAC International Film and Video Festival at the Shedd Institute on May 7-11, 2013. The festival will present films about diverse cultures worldwide. Mr. Weinman, Ms. Griewisch and Mr. Nunes volunteered to participate on behalf of the HRC.

Mr. Weinman moved, seconded by Mr. Evans, to approve the request. The motion passed unanimously.

Lizzy Bennett, with the Wesley Center, requested a grant of \$150 to provide ASL interpretation for the community production of the Vagina Monologues.

Ms. Hamilton moved, seconded by Mr. Weinman, to approve the request. The motion passed unanimously.

6. Transgender Health Care Petition

Ms. Holmes explained that the City is aware of the Oregon Insurance Division expectations regarding how insurers conform to provisions of the Oregon Equality Act (Senate Bill 2) as it relates to gender identity. She indicated each year the City's Risk Services Division works with a benefits attorney and the current insurance provider in reviewing employee insurance benefits and that coverage for transgender persons will be part of that analysis.

Seda Collier shared her challenge as a transgender person in getting insurance coverage for gender confirmation surgery. She explained that AFSCME negotiated a defined benefit for certain medically necessary procedures but that this coverage is not extended to all employees. She expressed frustration that the City does not recognize transgender insurance exclusions as an issue of discrimination and that the organization has been unwilling to consider expanding coverage. She stated that the Multnomah County AMA passed a resolution that called for removing exclusions and believes the HRC has the moral authority to call for the end of exclusions throughout Eugene-Springfield metro area.

Ms. Gyatso asked what was meant by the statement in the petition to the HRC that calls for an "investigation of transgender health insurance discrimination." Ms. Collier clarified that a motion that acknowledges transgender insurance exclusions as a form of discrimination and that calls for an end to such practice as stated in the petition was sufficient.

Mr. Weinman moved, seconded by Ms. Griewisch, the following:

The HRC is concerned about discrimination against transgender people in the provision of health insurance coverage, because:

- Hormone therapy, mental health care, and medical care, including surgery, are medically necessary for certain transgender individuals;
- Insurance companies and employer health plans, including those of the City of Eugene, Lane County, and other public jurisdictions routinely deny coverage of these treatments through transgender-specific exclusions, while providing coverage of these same treatments to non-transgender, or cisgender, individuals;
- Denial of these benefits causes real harm to transgender patients;
- Removal of these exclusions, and provision of equal benefits for transgender patients, is cost effective;
- Denying benefits due solely to gender identity constitutes discrimination, and is illegal in the State of Oregon.

Therefore, the HRC supports the elimination of specific health insurance exclusions for transgender people among employer-provided health insurance plans in the Eugene-Springfield area, including the City of Eugene.

Councilor Evans recommended that the motion be directed to City Council asking for action on the issue. Discussion also called for directing the motion to the City Manager. The motion passed unanimously

7. Transgender Equity and Inclusion Ordinance

Allison Cleveland, Executive Director for Oregon Anti-Violence Project explained her involvement with the HRC between 2004-07 advocating for inclusion of gender identity as a protected class in the City's Human Rights Code. These efforts were ultimately unsuccessful and abandoned with the 2007 revision of the Oregon Equality Act (SB 2) that expanded the definition of sexual orientation to include gender identity. She requested the HRC work to amend the Human Rights Code consistent with SB2.

Councilor Evans recommended the issue be framed as "realigning" our code with state statute and to ask the City Attorney the most efficient way to revise the code. Mr. Kinnison agreed to get more information and report back to the HRC at a future meeting.

8. Councilor Evans Update

Councilor Evans began by discussing current efforts to address homelessness, referencing the memos in the HRC packet outlining progress on the Opportunity Eugene Task Force Recommendations and Winter Strategies. He stated that City Council has a work session on the homeless camping ban scheduled for April 24 and that he has been working with homeless advocates looking at ways to craft a more humane policy on this issue and provide needed services. He discussed his attendance at the recent Active Bethel Citizens Association meeting that focused on the topic of homelessness. He shared his experience visiting homeless camp locations and talked about the criminal element that preys on homeless persons and contributes to public safety fears among neighbors and the business community. He acknowledged the need to consider the safety of employees that are out in the field and come into contact with camps on public land. He noted that proposed budget reductions could have impacts to the Equity

and Human Rights program and homeless services and that there would be more discussion to come with the Budget Committee depending on the results of the May ballot. He also stated that sequestration impacts would cut across all sectors and levels and could adversely affect federally funded transportation projects, such as EmX.

9. BREAK

10. Staff Update

Mr. Kinnison noted that Mayor Piercy had recently clarified that a decision on adding a new commission on homelessness would need to wait until the current budget situation is clarified. Mr. Weinman discussed the County's initiative to form a Regional Continuum of Care Board to End Homelessness and that it might make sense for the City to collaborate with this effort as opposed to forming its own Homelessness Committee. He recommended inviting Pearl Wolfe with the Lane County Human Services Commission to speak to the HRC about it.

Mr. Kinnison asked the HRC to consider moving their work planning to July so that new commissioners could participate and to provide more clarity on available budget resources. He suggested the HRC dedicate their next meeting planning how to focus their work over the next three months. The HRC supported these recommendations **[I didn't have in my notes if a motion was actually made and voted on here]**

Mr. Kinnison explained that recent conversations with Parks and Open Spaces staff indicated support for HRC sponsorship of park events to help offset costs community groups face in rental fees. Events would have to align with HRC goals and work plans and the commission would have to be actively involved with the event, similar to current criteria for Co-Sponsorship of community events. The HRC supported amending the current sponsorship process to include an option for waiver of park fees. Mr. Kinnison agreed that staff would revise current sponsorship materials and bring back to the HRC for approval.

11. Commissioner Update

Ms. Gyatso provided an update on her involvement with the group tasked with identifying strategies to phasing out the Downtown Public Safety Zone (DPSZ). She explained the group had identified three primary categories of ideas to address the problem: judicial, enforcement, and creating a more welcoming environment. She indicated that next steps include developing specific strategies for addressing safety without a DPSZ and forwarding recommendations to City Council. Ms. Gyatso also announced that Jon Belcher is the Planning Commission's liaison to the HRC.

Mr. Nunes discussed his involvement with the Community Development Block Grant Committee, how reductions brought about through the sequestration process were implemented and the categories of projects funded this cycle.

Mr. Thompson discussed agenda topics addressed by the Accessibility Advisory Group, including updates on curb cuts, priorities for implementing Accessible Pedestrian Signals, and accessibility of the City website. He stated that the 6 word essay project supported by the HRC work group on youth was to be presented at UO on May 17. He also mentioned attendance at the ACLU annual meeting that focused on digital privacy and use of drones.

Ms. Hamilton recommended the HRC establish a liaison to the Sustainability Commission. She recalled a joint session held between the two bodies and believes a liaison would help both groups stay informed on issues of common interest and enhance communication.

12. Beyond Toxics: Environmental Justice Project

Alison Guzman and Lisa Arkin of Beyond Toxics gave a presentation on the West Eugene Environmental Justice Project. The area of focus produces 90% of the city's environmental pollutants and includes many Latino families that are experiencing asthma-like symptoms at rates much higher than average as indicated by data from Bethel and 4J school districts. The project's data analysis and mapping show strong correlations between proximity to pollution sources and income with increased health problems. Beyond Toxics is working on embedding an environmental justice approach into City decision making and planning and encourages the HRC to become involved with environmental justice issues.

13. HRC Application Process

Ms. Gyatso reminded commissioners about the current recruitment process and asked for help in getting the word out among stakeholders about the opportunity of serving on the HRC. She expressed her intention to reapply and that she would not be able to participate in the application review and recommendation process for that reason. Ms. Griewisch, Mr. Weinman, Mr. Thompson, Mr. Nunes and Ms. Hamilton agreed to participate on the recommending committee. It was agreed that the committee would review past application review process and decide how they want to proceed.

14. Closing

Ms. Gyatso adjourned the meeting at 9:00 p.m.